

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

GEORGE PROBY, JR.,)	
)	
Plaintiff,)	
)	
v.)	No. 4:14CV1355 HEA
)	
D.R. BULLOCK, et al.,)	
)	
Defendants.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's third motion for appointment of counsel [Doc. #54]. Plaintiff again asserts that the issues in this case are complex, he does not understand discovery procedures, and he lacks "ready access" to a law library. In addition, plaintiff states that he lacks the resources to obtain documents and the names of parties and witnesses. For the following reasons, the motion will be denied without prejudice.

"A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case." *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). When determining whether to appoint counsel for an indigent litigant, the Court considers relevant factors, such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. *Id.*

After reviewing these factors, the Court finds that the appointment of counsel is not warranted at this time. Moreover, at the Court has previously noted, this case is neither factually nor legally complex, and it is evident that plaintiff is able to present his claims. Consequently, the motion will be denied, without prejudice.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [Doc. #54] is **DENIED**, without prejudice.

Dated this 26th day of February, 2015

A handwritten signature in black ink, reading "Henry Edward Autrey", is positioned above a horizontal line. The signature is fluid and cursive.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE